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4 BILL NO. S-77-10-04

5 SPECIAL ORDINANCE NO. S- 222-77.

6 AN ORDINANCE approving a contract for  
7 the purchase of real estate at 939 E.  
8 Berry.

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
10 FORT WAYNE, INDIANA:

11 SECTION 1. That the Agreement to Purchase Real Estate  
12 dated August 4, 1977, between the City of Fort Wayne, by and  
13 through its Mayor and the Fort Wayne Neighborhood Care, Inc.,  
14 and Dal E. Mathias, for:

15 Lot 3 Comparet's 2nd Addition to the City  
16 of Fort Wayne, Allen County, Indiana,  
17 939 E. Berry.

18 for a total cost of \$6000.00, as set forth in said contract,  
19 which is incorporated herein by reference, made a part hereof  
20 and is hereby in all things ratified, confirmed and approved.

21 SECTION 2. This Ordinance shall be in full force and  
22 effect from and after its passage and approval by the Mayor.

23  
24  
25   
26 Councilman

27  
28  
29  
30 APPROVED AS TO FORM  
31 AND LEGALITY.

32   
33 CITY ATTORNEY  
34  
35

Read the first time in full and on motion by Hunger, seconded by Hunter, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 10-11-77

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Hunger, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 10-25-77

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. S-222-77 on the 25<sup>th</sup> day of October, 1977.  
ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26<sup>th</sup> day of October, 1977, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 26<sup>th</sup> day of October, 1977, at the hour of 4:00 o'clock P.M., E.S.T.

Robert Elmsberg  
MAYOR

Bill No. S-77-10-04

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
approving a contract for the purchase of real estate at 939 E. Berry

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

*William T. Hinga*

*James S. Stier*

*Vivian G. Schmidt*

*Paul M. Burns*

*Fredrick R. Hunter*

10-25-77  
DATE \_\_\_\_\_ CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE  
COMMUNITY DEVELOPMENT & PLANNING  
division of neighborhood care

September 29, 1977

The Common Council  
Fort Wayne, IN 46802

Gentlemen and Ms. Schmidt:

*Correction  
C. W.  
Westerman*  
The Department of Community Development and Planning respectfully  
requests "Prior Approval" for the appropriation of \$6,000.00 to  
purchase the property at ~~919~~ East Berry Street, for our Homestead-  
ing Program. → 739

Sincerely,

*R. Steven Hill*  
R. Steven Hill, Director

*Robert E. Armstrong*  
Robert E. Armstrong, Mayor

/eg

APPROVED:

*John Marshall Civian* *John Marshall Civian* *John Marshall Civian*  
*William I. Thigpen* *William I. Thigpen* *William I. Thigpen*  
MEMBERS OF COUNCIL

ATTEST:

*Charles W. Westerman*  
Charles W. Westerman, City Clerk



APPRAISAL REVIEW SUMMARY SHEET

TYPE OF IMPROVEMENT:

( DUPLEX )

TWO UNITS

APPRAISERS:

Cain

Adams

MARKET DATA APPROACH:

COMPARABLES

3

3

VALUE INDICATED

6350

6300

FINAL VALUE ESTIMATE:

LAND

500

IMPROVEMENTS

5825

TOTAL

6325

The reviewer has averaged the two values of the appraisers. His recommended or suggested purchase price is \$6325.

8-4-77

(DATE)

*Harold Lewis*

Harold Lewis  
Real Estate Specialist

July 29, 1977

Mr. Harold Lewis  
Neighborhood Care Inc.  
880 City/ County Building  
One Main Street  
Fort Wayne, IN 46802

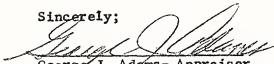
Re; Appraisal of 939 East Berry Street  
Owner; Dale Mathias Etal

Dear Mr. Lewis;

Pursuant to your request, I have personally inspected the site  
located at 939 East Berry Stree, Fort Wayne, IN

Having made an analysis of matters considered pertinent to value in  
estimating fair market value of the subject property, I enclose herein the  
results of that estimate.

Sincerely;



George J. Adams - Appraiser



# GEORGE J. ADAMS • Appraisals

6211 ARAGON DR. • 489-5180 • FORT WAYNE, INDIANA 46818

## REPORT OF APPRAISAL

MADE FOR Neighborhood Care Inc. 880 City/County Building, Fort Wayne, IN

LOCATION: 939 East Berry Street, Fort Wayne, IN

LEGAL DESCRIPTION: Lot #3 Comparets 2nd Addition

### PURPOSE OF APPRAISAL

To estimate and give an opinion of the fair market value of the property in fee simple as of this date.

"Market Value is defined as the highest price estimated in terms of money which a property will bring if exposed for sale in the open market, allowing a reasonable time to find a purchaser who buys with knowledge of all the uses to which it is adapted and for which it is capable of being used."

### OPINION OF VALUE

Appraised Value — Land	\$	<u>500.00</u>
Appraised Value — Improvements	\$	<u>5800.00</u>
Estimated Fair Market Value	\$	<u>6300.00</u>

### ASSUMPTIONS AND LIMITING CONDITIONS

No responsibility is assumed for matters legal in character. It is assumed that the legal description furnished is correct and that the title to the real estate is good and merchantable. Existing liens and encumbrances, if any, have been disregarded in this appraisal, and the property has been appraised as though free and clear.

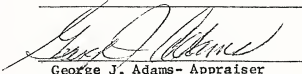
No responsibility is assumed for the accuracy of information furnished by others, although such information has been confirmed where possible and is believed to be reliable.

Possession of this report does not carry with it the right of publication nor may it be used for any purpose by any one except to whom it is addressed except with the previous written consent of the appraiser and the client. The appraiser shall not be required to give testimony or to appear in any Court by reason of this appraisal without previous arrangements having been made therefor.

### CERTIFICATION

I hereby certify that I have made a personal inspection of this property and an analysis of all the discoverable factors effecting its value. I further certify that I have no present or contemplated future personal interest in the property and that neither the employment to make the appraisal, nor the compensation is contingent on the value of the property.

DATE 7/29/77

  
George J. Adams - Appraiser

#### NEIGHBORHOOD DATA

The subject neighborhood is located approximately 700 South and 900 East of the center of the City of Fort Wayne, IN. It is bounded on the North by the Norfolk and Western railroad, on the West by Hanna Street, on The south by Washington Blvd. and on the East by Anthony Blvd.

Shopping and service facilities are available to the neighborhood but lacking somewhat in convenience to area. Transportation facilities are available. School and Churches are present but not immediate to area.

All City utilities are present in the neighborhood, Streets are paved and there are concrete curbs and public sidewalks.

The neighborhood is zoned predominately residential and is thus composed chiefly of older, single family and multi-family residences. The majority of the homes are of frame construction, are generally in poor to fair condition with a high percentage appearing vacant, abandoned and boarded up, which condition reflects the severe economic depression present in the neighborhood. The average age of the dwelling is approximately 60 years.

Real Estate market in neighborhood appears very weak and slow, reflecting a virtual non-existent demand. Weakness in market together with the detrimental influence from vacant, abandoned and generally poor condition of many of the structures, exerts a severe economic depression on value.

#### ASSESSED VALUATION AND TAXES

The subject property is currently assessed at \$650 for the land, \$1,880 for improvements, resulting in a total assessed valuation of \$2,530. The current tax rate for Wayne Township is \$10.675, thus, the tax expense for subject property is \$270.08, not considering exemptions.

#### DESCRIPTION OF PROPERTY

The subject comprises a rectangular parcel of ground. The site has a frontage along Berry Street of 50 feet and a depth of 140 feet, aggregating a total land area of 7000 square feet. A 14 foot alley and utility easement provides the rear property line. Such easements are normal in the neighborhood and exerts no detrimental influence on value. Subject is subject to said easement.

The subject consists of two buildings, one of which is a one car frame constructed garage appearing in fair to poor condition. Garage has side drive entry and has minimal value.

The second building is a frame constructed two story, two family residence of approximately 60 years of age. Constructed over a concrete block basement type foundation reflecting fair condition and no apparent evidence of water penetration.

The improved living area on the first floor contains 896 square feet and comprises a living room, kitchen, three bedrooms and one bath. The second floor contains 720 square feet and comprises a living room, kitchen, one bedroom and one bath. The total improved living area is 1616 square feet.

The walls are wood frame with wood siding and plaster covering. The roof is frame constructed with asphalt shingle covering. Heat is provided by a relatively new gas forced warm air furnace. All plumbing appears to be mostly galvanized and lead pipe of questionable quality and condition.



Electrical system appears principally as original with questionable quality and condition. Service is provided through a 30 amp fuse box with questionable acceptance under local code.

General condition of subject property appears generally good and reflects average owner maintainance.

#### ESTIMATE OF VALUE BY THE MARKET APPROACH

Market approach is generally defined as that method whereby the subject is compared to recent sales of similar properties, adjusting for those differences considered pertinent to value.

In this report the market approach shall be given total emphasis as being the approach reflecting the most valid indication of value.

#### COMPARABLES

<u>Prop.</u>	<u>Sty</u>	<u>Rm</u>	<u>Brs</u>	<u>Bath</u>	<u>Costr</u>	<u>Gar.</u>	<u>Age</u> <u>Cond</u>	<u>Price</u>	<u>Date</u>	<u>Fin.</u>	<u>Sq. Ft.</u>
Subject	2	7	3	2	wd/frm	1D	60G	--	--	---	1616
1152 Francis St	2	8	3	3	wd/frm	-0-	60VG	9000	6/77	Contr.	1582
236/38 E. DeWald	2	10	4	2	wd/frm	-0-	56G	6500	3/77	Cash	1900
128 E Masterson	2	9	4	2	wd/frm	2D	60VG	9500	1/77	FHA	1800

	#1	#2	#3
Comparables	9000	6500	9500
Age/Cond	- 1000		- 1000
Location		- 1000	- 1000
Financing	- 1000		- 500
Income			
Potential	- 1000		
Garage	+ 500	+ 500	- 500
Subject	6500	6000	6500

All comparables where multi-family residences with number one having three living units. Number two and three had two living units.

Considering the quality of the comparables, equal emphasis shall be given to all three and thus, I am of the opinion that as of the 29th day of July, 1977 the fair market value of the subject was;

SIX THOUSAND THREE HUNDRED ( 6300 ) DOLLARS

July 29, 1977

Mr. Harold Lewis  
Neighborhood Care, Inc.  
880 City/County Building  
Fort Wayne, Indiana 46802

Re: Appraisal of Property Located at  
939 East Berry Street, Fort Wayne, Indiana

Owner: Dale Mathias  
c/o 823 West DeWald Street  
Fort Wayne, Indiana

Dear Mr. Lewis:

As per your request of 7/25/77, I did, on the 28th day of July, 1977, appraise the above referenced property in Allen County. The legal description of which is

Lot 3 Comparet's 2nd Addition to the City of Fort Wayne,  
Allen County, Indiana.  
The lot size is 50' X 140'.

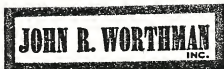
Subject property is a two-story duplex house located on the north side of the street in the 900 block of East Berry between Begue Street on the East and Harmer Street on the West. The first floor of the home has a living room, kitchen, 2 bedrooms and bath. The upstairs apartment contains a living room, kitchen, 1 bedroom and bath. There is also a small room being used as a nursery, but in my opinion, should be considered as no more than additional storage. Both apartments have ranges and refrigerators furnished by the owner. There is a basement which serves only as a place for the gas furnace and access to plumbing.

The exterior of the house is covered with wood siding which at this time seems to be well painted, but will from time to time require maintenance.

The detached garage measures 12' X 16' and in my opinion is of little value except for a compact car or storage.

Subject property contains approximately 1616 square feet of living area; however, I did not use a cost approach since its age and depreciating factors would have made it most difficult to determine value.

I have, therefore, determined that the Market Approach would be the one that would best determine value.



WORTHMAN OFFICE MALL ■ 5800 FAIRFIELD AVE., FORT WAYNE, IND., 46807 ■ 219/744-2101

## REPORT OF APPRAISAL

MADE FOR Neighborhood Care, Inc,

LOCATION: 939 East Berry Street, Fort Wayne, Indiana 46802

LEGAL DESCRIPTION: Lot 3 Comparet's 2nd. Addition to the City of Fort Wayne, Allen County, Indiana.

### PURPOSE OF APPRAISAL

To estimate and give an opinion of the fair market value of the property in fee simple as of this date.

"Market Value is defined as the highest price estimated in terms of money which a property will bring if exposed for sale in the open market, allowing a reasonable time to find a purchaser who buys with knowledge of all the uses to which it is adapted and for which it is capable of being used."

### OPINION OF VALUE

Appraised Value — Land .....	\$ 500.00
Appraised Value — Improvements .....	\$ 5,800.00
Estimated Fair Market Value .....	\$ 6,350.00

### ASSUMPTIONS AND LIMITING CONDITIONS

No responsibility is assumed for matters legal in character. It is assumed that the legal description furnished is correct and that the title to the real estate is good and merchantable. Existing liens and encumbrances, if any, have been disregarded in this appraisal, and the property has been appraised as though free and clear.

No responsibility is assumed for the accuracy of information furnished by others, although such information has been confirmed where possible and is believed to be reliable.

Possession of this report does not carry with it the right of publication nor may it be used for any purpose by any one except to whom it is addressed except with the previous written consent of the appraiser and the client. The appraiser shall not be required to give testimony or to appear in any Court by reason of this appraisal without previous arrangements having been made therefor.

### CERTIFICATION

I hereby certify that I have made a personal inspection of this property and an analysis of all the discoverable factors affecting its value. I further certify that I have no present or contemplated future personal interest in the property and that neither the employment to make the appraisal, nor the compensation is contingent on the value of the property.

DATE 7/29/77

July 29, 1977  
Mr. Harold Lewis  
Page Two

Comparable #1 - 3731 So. Webster - Sold in April, 1977 for \$13,500 on a conventional loan basis. It contained 1640 square feet but was in better condition and a much better area than subject. It contained basically the same number of rooms, 7, with 3 bedrooms and 2 baths. It did have a 1 1/2 car garage. I believe subject to adjust to \$6,300 using pluses and minuses.

Comparable #2 - 1307 Jackson street sold in April, 1977 for \$8,000 on a Contract. It was a little smaller house than subject at 1488 square feet; however, it did contain the same number of rooms, 7, with 3 bedrooms and 2 baths. It did not have a garage. Again, using pluses and minuses to determine value, I believe subject property to adjust to \$6,300.

Comparable #3 - 743 Walnut St. sold in November, 1976, for \$9,500 on an F.H.A. basis. This property contained 1852 square feet and had a total of 8 rooms with 3 bedrooms and 2 baths. It also had a 1 1/2 car garage. Still using the plus and minus method, I believe subject property to adjust to \$6,400.

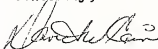
Please note that my source of comparables, namely the MLA, did not indicate enough properties in the immediate area of subject to compare subject; therefore, I have had to use like properties in other areas.

It is my opinion that the Fair Market Value of subject property, in fee simple title, as of July 28, 1977, is

LAND	\$ 500.00
IMPROVEMENTS	<u>5,850.00</u>
TOTAL	\$ 6,350.00

If you have any questions, please contact me.

Sincerely,



David W. Cain

AGREEMENT TO PURCHASE REAL ESTATE

The Fort Wayne Neighborhood Care, Inc. offers to purchase the real estate commonly known as 939 E. Berry and more particularly described as follows: Lot 3 Comparet's 2nd Addition to City of Fort Wayne, Allen County, Indiana

Neighborhood Care, Inc. shall pay the sum of \$6,000 for the Real Estate, payable in full at the time title to the Real Estate is conveyed to the City of Fort Wayne, Indiana for the use and benefit of its Department of Neighborhood Care, Inc.

This offer is made subject to the following terms and conditions:

<sup>E. ETAL</sup>  
Dale Mathias shall convey marketable title to the real estate by a warranty deed free and clear of all liens and encumbrances, except as are hereinafter noted.

<sup>E. ETAL</sup>  
N/A Dale Mathias shall assign to the City of Fort Wayne, Indiana for the use and benefit of its Department of Neighborhood Care, Inc.

<sup>E</sup>  
Dale Mathias shall furnish Neighborhood Care, Inc. a properly prepared Abstract of Title for the Real Estate, continued to a date after the date their acceptance of this offer, and disclosing a marketable title in them. The Commission shall have the title examined by its attorney and shall submit a legal opinion thereon without unreasonable delay.

<sup>E ETAL</sup>  
Dale Mathias shall have a reasonable time to meet such requirements as may be necessary to render the title marketable.

Current real estate taxes shall be prorated as of the date of closing and <sup>E ETAL</sup> Dale Mathias hereby authorize Neighborhood Care, Inc. withhold the amount of the taxes for which they are

responsible from the purchase price and apply the same to the payment of the taxes.

Possession of the Real Estate shall be delivered to the Commission at the closing. Any rents shall be prorated as of the date of closing. All charges for utility services furnished the Real Estate shall be paid by Dale Mathias up to the date of closing.

This offer shall remain in force for a period of 7 days from the date hereof and it shall be binding upon Neighborhood Care, Inc. until the expiration of such period. If not accepted in writing by 8/12/77

before the expiration of such period, the offer shall be of no further force and effect unless extended in writing by Neighborhood Care, Inc. Provided, however, that neither this offer nor any agreement shall be binding upon Neighborhood Care, Inc. until all occupants of the Real Estate, any lienholders and any others claiming an interest in the Real Estate enter into an agreement with Neighborhood Care, Inc. for the assignment or release of their respective interests in the Real Estate.

Dated this 4th day of August, 19 77.

NEIGHBORHOOD CARE, INCORPORATED

By Chel E. Hutton

Its: \_\_\_\_\_

ATTEST:

Harold Lewis

The undersigned, owners of interest of the property described in the foregoing Fort Wayne Neighborhood Care, Inc. Agreement to Purchase, hereby accept said offer and agree to abide by the terms and conditions thereof. It is under-

stood that said acceptance is binding upon each signatory  
and his, or her, executor, administrator, heirs and assigns.

Dated this \_\_\_\_\_ day of August 8, 1977.

ATTEST:

Ed E. Mathias

Ed D. Mathias

Ed M. Mathias by agent Ed D. Mathias

Ed D. Mathias by agent Ed D. Mathias

Ed Mathias

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Special Appropriation Ordinance S-77-10-04

DEPARTMENT REQUESTING ORDINANCE CD&P Neighborhood Care

SYNOPSIS OF ORDINANCE Allow Neighborhood Care to purchase the property at 939 Berry (East)

Prior Approval Letter Attached

EFFECT OF PASSAGE Neighborhood Care will purchase the property at 939 East Berry

EFFECT OF NON-PASSAGE Neighborhood Care will not purchase the property at 939 East Berry

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$6000.00

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_